

THE DE HAVILLAND DECISION: FIFTY YEARS LATER

FIFTY YEARS AGO, TWO-TIME OSCAR WINNER OLIVIA DE HAVILLAND TOOK ACTION TO CHANGE HER CAREER AND THE LIVES OF ALL PERFORMERS. THE INDOMITABLE ACTORS' advocate (who gladly joined the fledgling Guild on April 29, 1936) successfully sued Warners to get out of an unfair contract in the mid 1940's. "The de Havilland decision", as the landmark case became known in the industry, was a breakthrough for actors who were then able to choose their own roles and career destinies. In an exclusive interview with *Screen Actor*, Miss de Havilland spoke with Harry Medved about her choice of roles, early Guild meetings, and "the decision" of a lifetime.



Tell us about your first SAG meeting.

I attended some of the big gatherings of SAG members held at the Hollywood Legion Stadium, a large fight auditorium. I recall these as lively affairs with strong and vociferous reactions from the membership. I recollect, in particular, a large assembly where a group of players was seated with the Chairman on a sort of raised platform and that one of them was Joan Crawford, who knitted industriously throughout the meeting. Ralph Morgan was one of our first leaders and he had his hands full, but he made a valiant effort to be equal to the challenge.

Were certain actors reluctant to join the Guild?

The formation of SAG was a very controversial matter and major stars, though protected in many ways by their contracts, were at risk because these agreements not only contained a unilateral yearly option which the producer could exercise at will, but also quite strict provisions regarding behavior offensive to public opinion. A major star's popularity outside the industry could well be diminished by appearing pro-labor in a society still uneasy about unions, and such a star could jeopardize his or her career by seeming to oppose the interests of the employer. Joan Crawford's hearty welcome at an early Guild gathering may have been because her presence showed courage, which everyone else there recognized, and it also showed solidarity with those less well-placed than herself.

Was it necessary for you to keep your SAG membership a secret?

I never made a secret of my membership, but I did incur my mother's shocked disapproval!

How did you feel about your early roles as delicate heroines at Warners?

I detested playing the female leads in *Alibi Ike* (1935), *Wings of the Navy* (1939), and other films, but enjoyed Arabella Bishop in *Captain Blood* (1935) and Maid Marian in *The Adventures of Robin Hood* (1938).

How did you get cast in *Gone With The Wind* (1939)? Did you have to fight to show your range?

According to *Memo* [the Selznick biography], David O. thought that I would be a good choice for the character of Melanie after having screened *The Adventures of Robin Hood*, a huge money maker for Warners in 1938. George Cukor subsequently asked if I were interested and would I come very discreetly to his office for a reading? I complied and a few days later, equally discreetly, drove to Selznick's house for another reading. That decided the matter for David, but to obtain Jack Warner's agreement was a complicated and suspenseful operation. Finally, Jack Warner took in exchange

for me a one-picture commitment which Selznick held for the services of James Stewart.

Was Warners a tough studio to work at?

Warners was a particularly well-equipped, well-run, and well-maintained studio but was also rather cut-and-dried and business-like in its approach to making movies. Very different from Selznick, who was passionate about the films he made. He selected them with great care, and wanted them to be works of art as well as financial successes. At Metro-Goldwyn-Mayer, actors could reason with the studio when they felt uncomfortable about a role, they could take a lay-off or a different assignment in its place. At Warner Bros. a suspension was the immediate reply to an actor's disinclination to take on a particular assignment.

What was the effect of the "de Havilland decision" on your fellow actors?

I was very proud of that decision for it corrected a serious abuse of the contract system – forced extension of a contract beyond its legal term.

Among those who benefited by the decision were the actors who fought in World War II and who, throughout that conflict, were on suspension. I was deeply gratified when, returning to MGM after his long and distinguished military service, Jimmy Stewart asked the court on the basis of that decision for a ruling on his contract – and thus the contracts of other actor-veterans – and received, of course, a favorable verdict. When I won the final round of my case on Feb. 3, 1945, every actor was now confirmed as free of his long-term contract at the end of its seven year term, regardless of how many suspensions he had taken during those seven years. No one thought I would win, but after I did, flowers, letters and telegrams arrived from my fellow actors. This was wonderfully rewarding. The Guild served as *Amicus Curiae* in my case: friend of the Court.

What are your memories of working with Future Guild President Ronald Reagan?

Ronnie Reagan was a very sociable creature. Extroverted in the nicest way. When we worked with Errol Flynn on *Santa Fe Trail* in 1940, Ronnie was already interested in the Guild and would sit beside me on the set to chat about SAG and other things. During night shooting out in the San Fernando Valley, when Flynn continually turned up late for our 9 p.m. call, forcing the cast to work until dawn, Ronnie sought me out and asked me to plead with Flynn to mend his "wicked, wicked ways."

I went into Flynn's on-location tent as Ronnie's emissary to persuade him to be on time. To my astonishment Errol was really quite cold with me and said: "Why do you have to put it on a personal basis?" I never understood his behavior and it took me 50 years to figure it out. It wasn't until a White House Dinner, when Ronnie reminisced about the night shooting on *Santa Fe Trail* and how Flynn had re-arranged a photo line-up to Ronnie's extreme disadvantage, that I finally realized that Errol was nettled by Ronnie's popularity on the set and, very possibly, by his affable relations with the leading lady. Evidently Flynn thought Ronnie and I were engaged in a passionate romance. Of course it was nothing of the kind. Ronnie was happily married at the time and I was interested in a shy, tall, blue-eyed actor whose name it will take you much less than 50 years to figure out!

What is your secret for longevity?

I don't understand the question – I'm only 78 years old!